

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HARRIET G. ZAFIRATOS,)	
)	
Plaintiff,)	
v.)	No. 12 C 10049
)	
CAROLYN W. COLVIN, Acting)	Judge Shadur
Commissioner of Social Security, ¹)	
)	
)	
Defendant.)	

JOINT MOTION FOR ENTRY OF JUDGMENT WITH REMAND

Plaintiff and Defendant jointly move this court for entry of judgment with remand. This court has the power, pursuant to sentence four of Section 205(g) of the Social Security Act, “to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the [Commissioner], with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g); *Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

The Parties agree that, on remand, the Administrative Law Judge should provide the Plaintiff with an opportunity to submit additional evidence; evaluate the Plaintiff’s mental impairments pursuant to the special technique in 20 CFR 416.920a; consider the Plaintiff’s residual functional capacity, and in so doing, evaluate all of the opinion evidence in the record; evaluate the Plaintiff’s subjective complaints, considering the factors set out in Social Security Ruling 96-7p; seek vocational expert testimony, if warranted, to determine whether there are a significant number of

¹ On February 14, 2013, Carolyn W. Colvin became Acting Commissioner of Social Security. Ms. Colvin is automatically substituted as Defendant in this suit, Fed. R. Civ. P. 25, and no further action is necessary to continue this suit. 42 U.S.C. §405(g).

jobs in the national economy that the Plaintiff can perform; give the Plaintiff an opportunity for a hearing; and issue a new decision.

WHEREFORE, the Parties respectfully request that this court enter judgment reversing the Commissioner's decision pursuant to sentence four of 42 U.S.C. § 405(g) and remand the case to the Commissioner for further administrative action consistent with this joint motion.

Respectfully submitted,

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² Signed by Assistant U.S. Attorney Zachary Clopton for David Chermol, with consent obtained by Eric Schepard, Assistant Regional Counsel, Social Security Administration, on March 15, 2013.

³ Signed by Assistant U.S. Attorney Zachary Clopton for Frederick Daley Jr., with consent obtained by Eric Schepard, Assistant Regional Counsel, Social Security Administration, on March 15, 2013.